

**IN THE UNITED STATES COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

ELIZA REID and TRACY WATERS, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

GMC SKIN CARE USA, INC. d/b/a G.M.
COLLIN,

Defendant.

Civ. Action No.: 8:15-cv-277 (BKS/CFH)

Judge Brenda K. Sannes

**NOTICE OF MOTION AND MOTION TO
DISMISS CLASS ACTION COMPLAINT**

**No Oral Argument Unless Directed by the
Court**

PLEASE TAKE NOTICE that Defendant GMC Skin Care USA, Inc. dba G.M. Collin will move this Court on May 21, 2015 at 10:00 a.m., or as soon thereafter as the matter can be taken under submission, for an Order pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), dismissing with prejudice all claims alleged in the Complaint for failure to state a claim on which relief may be granted or dismissing with prejudice all alleged claims for lack of subject matter jurisdiction, lack of standing, or because they are preempted by federal law.

Dated: April 23, 2015

By: s/ Alex Tomasevic
Craig Nicholas
Alex Tomasevic
Attorneys for Defendant
NICHOLAS & TOMASEVIC, LLP
225 Broadway, 19th Floor
San Diego, CA 92101
Telephone: (619) 325-0492
Facsimile: (619) 325-0496
Email: atomasevic@nicholaslaw.org